



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

MAY 3 2011

ACTION MEMORANDUM

SUBJECT: Request for a Removal Action at the VCC Albany Site,
Albany, Dougherty County, Georgia

FROM: Jason Booth, On-Scene Coordinator
Emergency Response and Removal Branch

THRU: Shane Hitchcock, Chief *ASH*
Emergency Response and Removal Branch

TO: Franklin E. Hill, Director *Franklin E. Hill*
Superfund Division

I. PURPOSE

The purpose of this Action Memorandum pursuant to Section 104 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) is to request and document approval of the proposed enforcement-lead removal action described herein for VCC Albany Site located in Albany, Dougherty County, Georgia (the Site).

The Site poses a threat to public health and the environment that meets the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) section 300.415(b)(2) criteria for removal actions. The total project ceiling for this time-critical removal action, if approved, will be \$435,432 of which an estimated \$328,308 will be funded through the Regional Removal Allowance.

II. SITE CONDITIONS AND BACKGROUND

| | |
|-----------------|---|
| Type: | Fund-lead, time-critical removal action |
| CERCLIS ID: | GAD9812377043 |
| Site ID Number: | A4LN |

A. Site Description

1. Removal Site Evaluation

The removal site evaluation (RSE) was conducted in two phases. All activities were undertaken pursuant to Section 300.410 of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP).

During the weeks of June 9 and June 16, 2008, the United States Environmental Protection Agency (EPA) Region 4 On-Scene Coordinator (OSC) and Superfund Technical Assessment and Response Team (START) began a RSE of the VCC Albany Site.

The Site is comprised of 8 parcels with two title holders. One party, Container Waste Services Incorporated, operated the property as a drum recycling business and leased 6 parcels from the other property owner for drum storage. The purpose of the first phase of the RSE was to delineate previously identified lead and arsenic contamination in the soil. A portable x-ray fluorescence (XRF) instrument was employed during the field screening down to a maximum depth of 6 inches below ground surface (bgs).

Soil was screened at the Site for lead and arsenic at a total of 223 locations along with 33 off-Site locations. Nine samples were submitted to a laboratory for XRF confirmation purposes. None of the 33 off-Site locations screened by the XRF produced results above the EPA's residential removal action levels (RAL) values for lead or arsenic.

Confirmatory laboratory results for lead ranged from 21.9 mg/kg to 11,200 mg/kg (Table 1). Four of the nine laboratory analytical results for lead exceeded EPA's industrial/commercial removal action level (RAL) for lead of 2,200 mg/kg.

Confirmatory laboratory analytical results for arsenic ranged from 1.5 mg/kg to 652 mg/kg (Table 1). Four of the nine laboratory analytical results for arsenic exceeded EPA's industrial/commercial removal action levels (RAL) for arsenic of 177 mg/kg.

Table 1
Phase I RSE Confirmation Lead and Arsenic
Concentrations (mg/kg) for Surface Soil Samples from VCC Albany

| <u>Sample ID</u> | Lead Concentration (mg/kg) | Arsenic Concentration (mg/kg) |
|------------------|-------------------------------|----------------------------------|
| VCC-SS-01 | 11,200 | 652 |
| VCC-SS-02 | 21.9 | 2.2 |
| VCC-SS-03 | 487 | 32.3 |
| VCC-SS-04 | 1,350 | 72.3 |
| VCC-SS-05 | 154 | 10.8 |

The EPA along with START conducted the second phase of the RSE during the week of July 20, 2009 after nearly all the previous drums on the Site had been removed by the property owner. The purpose of the second phase of the RSE was to delineate the previously identified lead and arsenic on a portion of the Site which was covered previously by drums. A portable x-ray fluorescence (XRF) instrument was employed during the field screening down to a maximum depth of 6 inches below ground surface (bgs).

Soil was screened at the Site for lead and arsenic at a total of 73 locations via five-point composite samples. Six samples were submitted to a laboratory for XRF confirmation purposes.

Confirmatory laboratory results for lead ranged from 2,300 mg/kg to 9,900 mg/kg (Table 2). All six laboratory analytical results for lead exceeded EPA's industrial/commercial removal action level (RAL) for lead of 2,200 mg/kg.

Confirmatory laboratory analytical results for arsenic ranged from 190 mg/kg to 650 mg/kg (Table 2). Three of the six laboratory analytical results for arsenic exceeded EPA's industrial/commercial removal action levels (RAL) for arsenic of 177 mg/kg.

Table 2
Phase II RSE Confirmation Lead and Arsenic Concentrations (mg/kg) for Surface Soil
Samples from VCC Albany

| <u>Sample ID</u> | Lead Concentration (mg/kg) | Arsenic Concentration (mg/kg) |
|------------------|----------------------------|-------------------------------|
| VCC-B1 | 3,500 | 170 |
| VCC-C1 | 7,700 | 650 |
| VCC-D1 | 3,100 | 190 |
| VCC-E1 | 2,300 | 73 |
| VCC-F1 | 9,900 | 210 |
| VCC-I4 | 5,400 | 150 |

2. Physical Location

This Site (formerly operated by Container Waste Services, Incorporated) is located at 717 Flint Avenue in Albany, Dougherty County, Georgia. The Site is located in a predominantly industrial/commercial area. The Site is bound to the east, west and south by industrial/commercial properties. A railroad is north of the Site and beyond is a residential area (figure 1).



Figure

1: Aerial image of the VCC Albany Site. (Yellow shaded areas represent homes.)

3. Site Characteristics

As part of the Region 4 Virginia-Carolina Chemical Company (VCC) Initiative with Exxon Mobil Corporation, an inventory of 40 former VCC facilities were identified which may have been contaminated with heavy metals from historic operations of former phosphate fertilizer plants. The VCC Albany Site (the Site) was one of the 40 areas targeted.

According to historical records, the VCC Albany Site operated a superphosphate manufacturing facility on the property. Sanborn Maps indicate the presence of the lead acid chambers on maps beginning in 1895 and remain present until the maps of 1920 where they are marked as vacant. In the 1895 Sanborn map, the property is listed as being the Albany Farm Improvement Company, but subsequent maps list the owner as Virginia Carolina Chemical Company (VCC).

4. Release or threatened release into the environment of a hazardous substance, or pollutant or contaminant

Lead and arsenic are hazardous substances as listed in the Title 40 of the *Code of Federal Regulations* (CFR) Section 302.4, as referred to in Section 101 (14) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), as amended.

5. NPL Status

The Site is not on the National Priorities List (NPL)

6. Maps, pictures, and other graphic representations

Additional graphic resources can be found in the EPA assessment reports conducted during June 2008 and July 2009.

B. Other Actions to Date

1. Previous Actions

In April 2006, EPA Region 4 RCRA Enforcement and Compliance Branch mobilized to the site. Sampling was conducted to determine if contamination present in surface soils were the result of drums from the CWS facility. Six samples were taken from the drums and the sampling conducted showed that none of the samples collected contained a RCRA hazardous waste

2. Current Actions

The property owner was sent a general notice letter and ability to pay form pursuant to Section 300.415 of the NCP. The general notice letter contained information on how to make an inability to pay claim.

Enforcement is currently reviewing PRPs financial documents. Recuperation for the removal action will be addressed during cost recovery, if attainable.

C. State and Local Authorities' Role

1. State and Local Actions to Date

State and local actions have been addressed in the previous section.

2. Potential for Continued State and Local Response

It is not anticipated that Georgia Environmental Protection Department (GAEPD) will perform any response activities at the Site. ERRB will continue to coordinate with State, and local agencies during the removal activities.

III. THREATS TO PUBLIC HEALTH OR WELFARE OR THE ENVIRONMENT, AND STATUTORY AND REGULATORY AUTHORITIES

A. Threats to Public Health or Welfare

Lead and arsenic present in on-site surface soils pose the following threats to public health or welfare as listed in Section 300.415 (b)(2) of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP):

Section 300.415 (b)(2)(i) Actual or potential exposure to nearby human populations, or the food chain from hazardous substances pollutants or contaminants; Investigation of the Site has documented that lead and arsenic concentrations in surface soil exceed Removal Action Levels (RALs) of 2,200 mg/kg and 177 mg/kg, respectively, for commercial/industrial landuse settings. Confirmation laboratory analysis showed concentrations lead and arsenic concentrations as high as 11,200 mg/kg and 652 mg/kg, respectively.

The contaminated soil is poorly fenced off from the public and could be potentially accessed by trespassers who may become exposed to the soil. Anyone entering the Site may potentially be exposed via direct contact with contaminated surface soils, inhalation of windborne dust and inadvertent ingestion of contaminated soil. Off-site migration of lead via erosion or airborne dust may lead to the exposure of nearby residents and/or on-site workers.

Section 300.415 (b)(2)(iv) High levels of hazardous substances or pollutants or contaminants in soils largely at or near the surface that may migrate; Analytical results reveal that lead and arsenic levels are present at or near the surface creating a potential for migration to off-site locations via erosion or wind-blown dust.

B. Threats to the Environment

Section 300.415 (b)(2)(v) Weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released; As stated above, contamination of soils along the Site boundaries increases the possibility of contaminated soils being transported off-site via runoff. Heavy rainfall could potentially carry contaminated soils south towards a retention pond that empties into nearby waterways.

Section 300.415 (b)(2)(vii) The availability of other appropriate federal or state response mechanisms to respond to the release; There are no other appropriate federal or state response mechanisms to take responsibility for this time-critical removal action.

IV. ENDANGERMENT DETERMINATION

Actual or threatened releases of hazardous substances from this Site, if not addressed by implementing the response action selected in this Action Memorandum, may present an imminent and substantial endangerment to public health, welfare or the environment.

V. PROPOSED ACTIONS AND ESTIMATED COSTS

A. Proposed Actions

1. Proposed action description

EPA's proposed actions include the following:

- a. Excavate contaminated surficial soils at the Site which exceed EPA's Removal Action Levels (2,200 mg/kg for lead and 177 mg/kg for arsenic) found at the Site to the maximum extent practicable;
- b. Evaluate treatment and disposal options for the contaminated soils;
- c. Transport and dispose of all contaminated soils;
- d. Restore areas which are disturbed by the removal action to their pre-removal state to the maximum extent practicable.

2. Contribution to remedial performance

The proposed removal action is warranted to address the threats discussed in Section III of this Action Memorandum, which meet the NCP Section 300.415 (b) (2) removal criteria. The removal action

contemplated in this Action Memorandum would be consistent with any remedial action that may be taken at the Site.

3. Description of alternative technologies

A complete evaluation of all alternative technologies will be made prior to the disposal/ treatment phase of this removal.

3. Engineering Evaluation/Cost Analysis (EE/CA)

This proposed action is time-critical and does not require an EE/CA.

4. Applicable or Relevant and Appropriate Requirements (ARARs)

The ARARs for this Site have not been conclusively determined. On-site removal actions conducted under CERCLA need only comply with ARARs, to the extent practicable, given the exigencies of the situation. If RCRA regulations on the excavation, storage, transportation and disposal of the hazardous waste are ARARs, efforts will be made to comply with them to the extent practicable. The State of Georgia was contacted on March 2, 2009, to identify any state ARARs for on-site activities.

5. Project schedule

Removal activities are anticipated to begin within one week of approval of this Action Memorandum. It is anticipated that once activities begin, this removal action will take no more than three months to complete.

B. Estimated Costs

| <u>Extramural Costs:</u> | <u>Proposed Ceiling</u> |
|--------------------------------------|--------------------------------|
| <u>Regional Allowance Costs:</u> | |
| ERRS | \$328,308 |
| <u>Non-Regional Allowance Costs:</u> | |
| START | \$34,552 |
| <u>Subtotal, Extramural Costs:</u> | \$362,860 |
| 20% Contingency: | \$72,572 |
| TOTAL EXTRAMURAL COSTS: | \$435,432 |

VI. EXPECTED CHANGE IN THE SITUATION SHOULD ACTION BE DELAYED OR NOT TAKEN

If this response action is significantly delayed or not taken, ongoing migration into the environment will continue, increasing the possibility of exposure to the public, groundwater and environment.

VII. OUTSTANDING POLICY ISSUES

No outstanding policy issues have been determined at this time.

VIII. ENFORCEMENT

Enforcement activities have been initiated and are ongoing. See Attachment, "Enforcement Sensitive," for more detailed information. EPA anticipates that the potential responsible parties will both fund and conduct the above removal response.

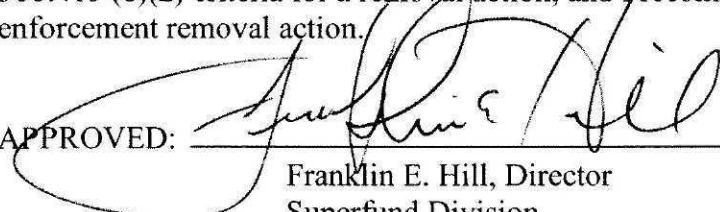
The total EPA costs for this removal action based on full-cost accounting practices that will be eligible for cost recovery are estimated to be \$690,966 using the following formula: (Total Extramural Costs + Total Intramural Costs) + (45.26% x (Total Extramural Costs + Total Intramural Costs)) or (\$435,432+\$40,244) + (45.26% x (\$435,432+\$40,244)) = \$690,966¹

¹ Direct costs include direct extramural costs and direct intramural costs. Indirect costs are calculated based on an estimated indirect cost rate expressed as a percentage of site-specific direct costs, consistent with the full cost accounting methodology effective October 2, 2000. These estimates do not include pre-judgment interest, do not take into account other enforcement costs, including Department of Justice costs, and may be adjusted during the course of a removal action. The estimates are for illustrative purposes only and their use is not intended to create any rights for responsible parties. Neither the lack of a total cost estimate nor deviation of actual total costs from this estimate will affect the United States' right to cost recovery.

IX. RECOMMENDATION

This decision document represents the selected removal action for the VCC Albany Site located in Albany, Dougherty County, Georgia, developed in accordance with CERCLA as amended, and is not inconsistent with the National Contingency Plan (NCP). The document is based on the administrative record for the Site. Conditions at the Site meet the NCP Section 300.415 (b)(2) criteria for a removal action, and I recommend your approval of this proposed enforcement removal action.

APPROVED: _____


Franklin E. Hill, Director
Superfund Division

DATE: _____

5/3/2011

DISAPPROVED: _____


Franklin E. Hill, Director
Superfund Division

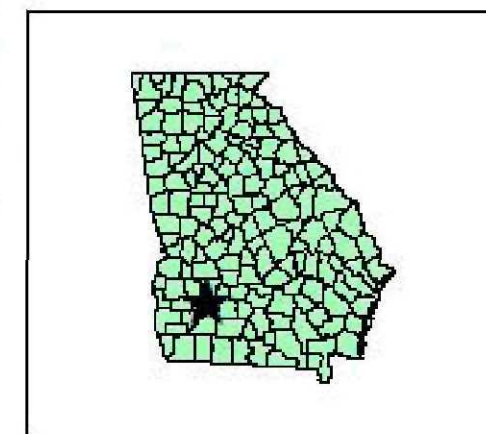
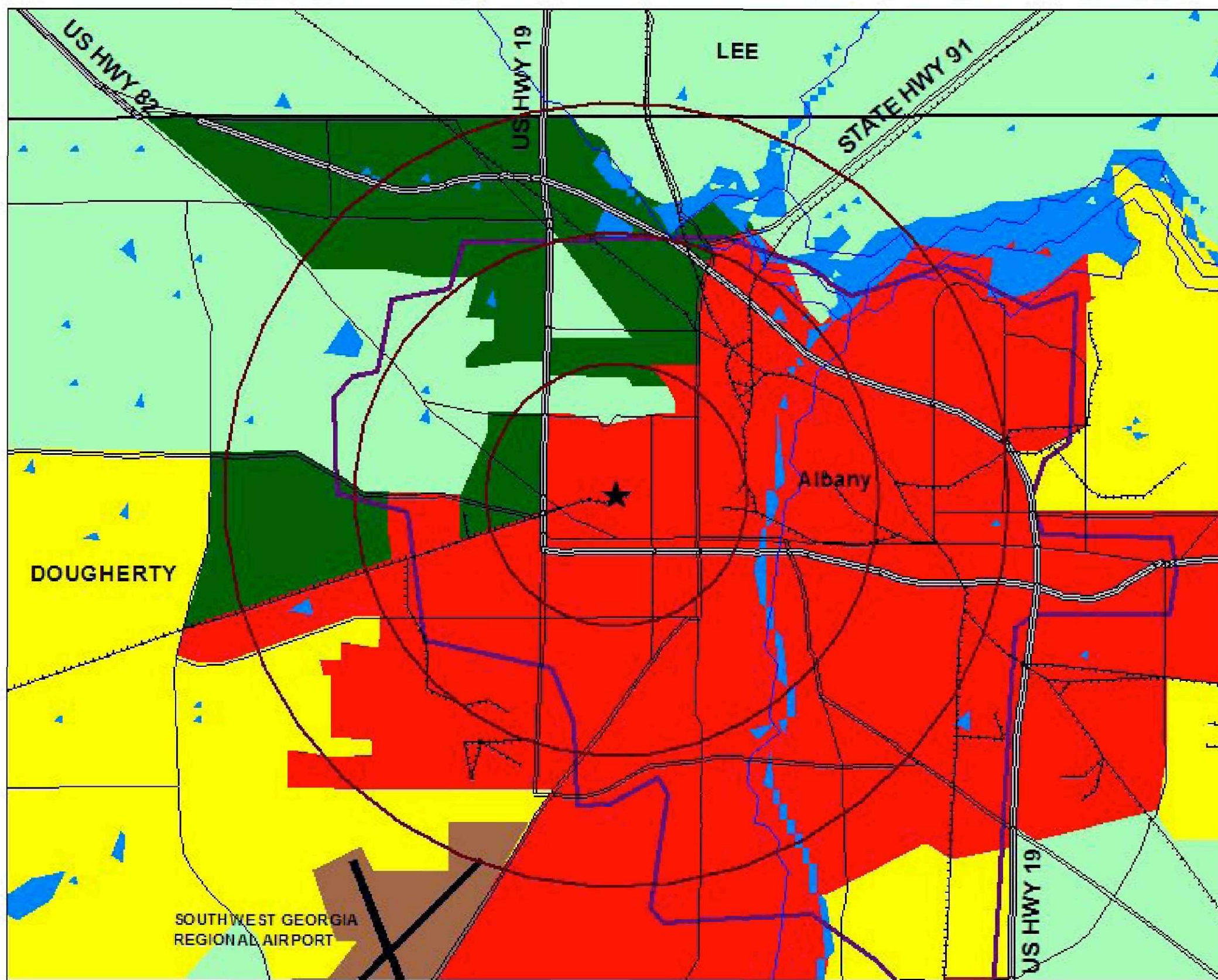
DATE: _____

Attachments

1. Enforcement Confidential Addendum
2. VCC Albany Potential EJ Areas around VCC Albany Site, Georgia

Note: Due to the CONFIDENTIAL nature of the material, Attachment 1 - Enforcement Addendum has been withheld. Withheld material is available, for Judicial review only, in the Records Center at EPA Region IV, Atlanta, Georgia.

POTENTIAL EJ AREAS AROUND VCC ALBANY SUPERFUND SITE, GEORGIA



- ★ Site Location
- 1, 2, 3mi. Buffer Zones
- Major Streams
- Railroads
- County Boundaries
- Potential EJ Areas
 - Low Income
 - Minority
 - Minority/Low Income
 - Non-EJ Areas



0.3 0 0.3 0.6 0.9 Miles

Source: 2000 U.S. Census Population and Housing Summary Tape File 3 (STF3) Data.
Aggregated to Block Group Level.

Relative State Minority Threshold: 44.81%
Relative State Low Income Threshold (20K): 26.27



EPA REGION 4
OFFICE OF ENVIRONMENTAL ACCOUNTABILITY